

**ASSEMBLY BILL**

**No. 623**

**Introduced by Assembly Member Gordon**

February 17, 2005

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An act to add Section 33320.6 to the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 623, as introduced, Gordon. Redevelopment: Los Angeles Air Force Base.

(1) Under the existing Community Redevelopment Law, there is in each community, as defined, a redevelopment agency of the community.

This bill would authorize the legislative bodies of communities located in Los Angeles County to adopt ordinances to expend their tax-increment moneys outside of their territorial jurisdiction to implement the Los Angeles Air Force Base Retention Program through the formation of a separate joint powers entity, as specified.

(2) This bill would declare that due to the unique problems within the County of Los Angeles, which the bill is intended to remedy, a general statute within the meaning of Section 16 of Article IV of the California Constitution is not applicable and a special statute is necessary.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. This act shall be known, and may be cited, as  
2     the California Aerospace Job Retention Act of 2005.

3     SEC. 2. The Legislature finds and declares all of the  
4     following:

5     (a) The threatened closure of the Los Angeles Air Force Base  
6     within the County of Los Angeles will, if not averted through  
7     utilization of the powers set forth in this act cause serious  
8     economic hardship throughout the state and its defense and  
9     aerospace industries, including the loss of tens of thousands of  
10    jobs and the loss to the state of an annual multibillion dollar  
11    expenditure budget, increased unemployment, deterioration of  
12    properties and land utilization, and undue disruption of the lives  
13    and activities of the people of the area.

14    (b) To avoid serious economic hardship and accompanying  
15    blight, it is necessary to enact the act that adds this section, which  
16    shall apply only within the County of Los Angeles, and which is  
17    adopted only for the purpose of retaining the Los Angeles Air  
18    Force Base. In enacting this act, it is the policy of the Legislature  
19    to assist communities within the County of Los Angeles that are  
20    located in proximity to the Los Angeles Air Force Base in their  
21    attempt to preserve the affected military facilities and  
22    installations for their continued use as the Los Angeles Air Force  
23    Base, and to protect and enhance these vital facilities by, among  
24    other things, ensuring an adequate infrastructure in proximity to  
25    the Los Angeles Air Force Base.

26    (c) The cost and availability of land, construction costs,  
27    geophysical and environmental constraints, household incomes,  
28    the market for affordable housing, commuting patterns, and fiscal  
29    and other related factors make it infeasible for a single  
30    community acting alone, limited to its own resources to provide  
31    the infrastructure necessary to ensure the retention of the Los  
32    Angeles Air Force Base. It is, therefore, necessary and  
33    appropriate that agencies in those communities in proximity to  
34    the Los Angeles Air Force Base be permitted, under specified  
35    conditions, to pool their resources to retain the Los Angeles Air  
36    Force Base. It is necessary that these communities possess the  
37    limited ability to use their tax-increment moneys outside their  
38    individual communities for these limited purposes.

1 SEC. 3. Section 33320.6 is added to the Health and Safety  
2 Code, to read:

3 33320.6. (a) The agencies for communities having territory in  
4 proximity to the Los Angeles Air Force Base and the community  
5 in which the Los Angeles Air Force Base is located may create a  
6 separate joint powers agency pursuant to Chapter 5 (commencing  
7 with Section 6500) of Division 7 of Title 1 of the Government  
8 Code, which joint powers agency shall have, and exercise, the  
9 powers of an agency within the territorial jurisdiction of one or  
10 more of the members of that joint powers agency, as found by  
11 this joint powers agency to be necessary and desirable to provide  
12 for the retention of the Los Angeles Air Force Base. All land use,  
13 planning, and development decisions with regard to land that is  
14 developed or redeveloped by the joint powers agency shall  
15 continue to be under the control and jurisdiction of the respective  
16 local legislative bodies or planning commissions, as applicable,  
17 of the community in which the land is located.

18 (b) The powers of the joint powers agency shall be utilized in  
19 accordance with a Los Angeles Air Force Base Retention  
20 Program to be formulated and approved by the joint powers  
21 agency consistent with this section. The Los Angeles Air Force  
22 Base Retention Program shall not be implemented unless and  
23 until the legislative body of each of the communities having an  
24 agency which shall expend its tax-increment moneys outside of  
25 its territorial jurisdiction in implementing the program, adopts an  
26 ordinance approving the Los Angeles Air Force Base Retention  
27 Program. The expenditure of tax-increment moneys outside of  
28 the territorial jurisdiction of each agency involved, as  
29 contemplated by the program, as well as the program itself, shall,  
30 upon the adoption of each ordinance, be deemed to be a part of  
31 each redevelopment plan for each redevelopment project  
32 generating the tax-increment moneys to be expended in carrying  
33 out the program, as if each redevelopment plan had been  
34 amended to include the program and those expenditures.  
35 However, in adopting the ordinance, neither the legislative body  
36 nor the agency is required to comply with Article 12  
37 (commencing with Section 33450) of Chapter 4 or any provision  
38 of this part relating to the amendment of redevelopment plans.  
39 The joint powers agency may amend the Los Angeles Air Force  
40 Base Retention Program from time to time. The procedure for

1 amending the ordinance required by this section shall be the  
2 same as for adopting the ordinance under this section.

3 (c) As used in this section, the following terms have the  
4 following meanings:

5 (1) “In proximity to” means located within the County of Los  
6 Angeles.

7 (2) “Tax increment moneys” means all tax-increment money  
8 allocated to the agency.

9 (3) “Tax increment moneys” also means all state tax revenues,  
10 including revenues derived from the imposition of taxes under  
11 the Sales and Use Tax law, the Personal Income Tax Law, and  
12 Corporation Tax Law, that is attributable to the incremental state  
13 tax revenue generated in relation to the retention of the Los  
14 Angeles Air Force Base. Pursuant to this paragraph, the  
15 California Research Bureau, in consultation with the State Board  
16 of Equalization and the Franchise Tax Board, shall no later than  
17 December 31, 2005, and no later than December 31 of each  
18 following year, calculate the state tax revenues derived from, or  
19 attributable to, the Los Angeles Air Force Base during the  
20 preceding fiscal year. All or any portion of this state tax revenue  
21 shall be made available to any joint powers agency established in  
22 support of the retention of the Los Angeles Air Force Base for  
23 infrastructure and other ancillary improvements that are designed  
24 to support the base, including, but not limited to, transportation,  
25 housing, or other physical improvements.

26 SEC. 4. The Legislature finds and declares that a general  
27 statute, within the meaning of Section 16 of Article IV of the  
28 California Constitution, cannot be made applicable to the unique  
29 problems within the County of Los Angeles, as set forth in  
30 Section 2, that Section 3 of this act is intended to remedy, and  
31 that, therefore, this special statute is necessary.

32 SEC. 5. This act is an urgency statute necessary for the  
33 immediate preservation of the public peace, health, or safety  
34 within the meaning of Article IV of the Constitution and shall go  
35 into immediate effect. The facts constituting the necessity are:

36 In order to attempt to prevent the serious economic hardship  
37 that would be caused by the closure of the Los Angeles Air Force  
38 Base, it is necessary that this act take effect immediately.

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2 **CORRECTIONS:**  
3 **Digest-Line 4.**  
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